

Proclamation 3479

PROCLAMATION BY THE PRESIDENT OF THE UNITED STATES CARRYING OUT CERTAIN AGREEMENTS NEGOTIATED AT THE 1960-61 TARIFF CONFERENCE AND MODIFYING AND TERMINATING SUPERSEDED PARTS OF PRIOR TRADE AGREEMENT PROCLAMATIONS.

June 20, 1962

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PART I

STATEMENT OF PURPOSES

A. The purposes of this proclamation are:

First—to put into effect modifications of existing United States duties and other import restrictions, to add import restrictions, and to proclaim the continuance of existing customs or excise treatment.

Second—to proclaim the accession of Israel and Portugal as contracting parties to the General Agreement on Tariffs and Trade (hereinafter referred to as the GATT).

Third—to put into effect certain rectifications of United States schedules to interim agreements which were proclaimed by Proclamation 3468 of April 30, 1962.

Fourth—to terminate the parts of Proclamation 3468 of April 30, 1962, which are superseded as a result of the promulgation of this proclamation, and to modify part of Proclamation 3105 of July 22, 1955, which has been affected by the promulgation of this proclamation.

B. The foregoing purposes are effectuated in Part II of this proclamation and the actions taken are required or appropriate to carry out certain trade agreements negotiated at the 1960-61 Tariff Conference. The agreements are identified in Paragraph A of Part II.

61 Stat. (Pt. 5)
All.

61 Stat. (Pt. 2)
1103.

Ante, p. 1467.

69 Stat. C44.

PART II

EFFECTUATING 1960-61 TARIFF CONFERENCE AGREEMENTS REQUIRING MODIFICATION AND CONTINUANCE OF UNITED STATES IMPORT DUTIES AND OTHER IMPORT RESTRICTIONS, AND THE ADDITION OF IMPORT RESTRICTIONS; PROVIDING FOR ACCESSION OF ISRAEL AND PORTUGAL TO THE GENERAL AGREEMENT ON TARIFFS AND TRADE (GATT); RECTIFYING SCHEDULES TO PRIOR AGREEMENTS; AND MODIFYING AND TERMINATING SUPERSEDED PARTS OF PRIOR PROCLAMATIONS.

A. *Agreements Identified.*

19 USC 1351.

Under section 350 of the Tariff Act of 1930, as amended, and prior to June 30, 1962, the following agreements were entered into:

13 UST 855.

(1) Interim Agreement of March 6, 1962, between the United States and Japan, including a schedule of United States concessions to enter into force provisionally and to be applied on July 1, 1962, as supplemented by an agreement of May 15, 1962. Copies of this agreement and supplementary agreement are annexed to this proclamation as Annexes A and B.

13 UST 1037.

(2) Interim Agreement of June 6, 1962, between the United States and Haiti, including a schedule of United States concessions which will enter into force on July 1, 1962. A copy of this agreement is annexed to this proclamation as Annex C.

13 UST 898.

(3) Interim Agreement of June 15, 1962, between the United States and India, including a schedule of United States concessions which will enter into force on July 1, 1962. A copy of this agreement is annexed to this proclamation as Annex D.

Ante, p. 147.

(4) Protocol of April 6, 1962 for the Accession of Israel to the General Agreement, including a schedule to the GATT of United States concessions comprising the concessions contained in the schedule of United States concessions to an agreement of March 5, 1962. Pursuant to the agreement of April 6, 1962, Israel will become a contracting party to the GATT on July 5, 1962. The schedule of United States concessions to this agreement will become a schedule to the GATT on July 5, 1962. A copy of this agreement is annexed to this proclamation as Annex E.

TIAS 5249.

Ante, p. 1472.

(5) Protocol of April 6, 1962 for the Accession of Portugal to the General Agreement, including a schedule to the GATT of United States concessions comprising the concessions contained in the schedule of United States concessions to an agreement of March 5, 1962. Pursuant to the agreement of April 6, 1962, Portugal became a contracting party to the GATT on May 6, 1962. The schedule of United States concessions to this agreement will become a schedule to the GATT on July 1, 1962. A copy of this agreement is annexed to this proclamation as Annex F.

TIAS 5248.

Ante, p. 1472.

(6) Agreement of May 30, 1962, between the United States and Peru, rectifying the United States schedule to an agreement of March 5, 1962. The Agreement of May 30, 1962 will become effective on

July 1, 1962. A copy of the agreement is annexed to this proclamation as Annex G.

13 UST 879.

(7) Agreement of June 7 and 14, 1962, between the United States and Switzerland, rectifying the United States schedule to an agreement of March 5, 1962. This Agreement of June 7 and 14, 1962 will become effective July 1, 1962. A copy of the agreement is annexed to this proclamation as Annex H.

Ante, p. 1472.

13 UST 907.

B. Prior Findings.

Prior to entering into the agreements specified in Paragraph A of this Part, the President found that certain existing duties or other import restrictions of the United States, and of the foreign countries which are contracting parties to the GATT, including Haiti, India, Japan, and Peru, and of Israel, Portugal, and Switzerland, were unduly burdening and restricting the foreign trade of the United States and that the purposes declared in section 350 of the Tariff Act of 1930, as amended, would be promoted by entering into the trade agreements identified in Paragraph A of this Part.

19 USC 1351.

C. Compliance With Procedural Requirements.

Before concluding these agreements, reasonable public notice was given of the intention to conduct trade agreement negotiations under the GATT with the governments of the foreign countries referred to in Paragraph B of this Part, views presented by persons interested in such negotiations were received and considered, and information and advice with respect to such negotiations was sought and obtained from the Departments of State, Agriculture, Commerce, and Defense, and from other sources. In addition, pursuant to section 3 of the Trade Agreements Extension Act of 1951, as amended, 19 U.S.C. 1360, the President transmitted to the United States Tariff Commission for investigation and report lists of all articles imported into the United States of America to be considered for possible modification of duties and other import restrictions, imposition of additional import restrictions, or continuance of existing customs or excise treatment in trade agreement negotiations with the governments of the foreign countries referred to in Paragraph B of this Part. The Tariff Commission made investigations in accordance with section 3 of the Trade Agreements Extension Act of 1951, as amended, and thereafter reported to the President its determinations made pursuant to that section within the time specified therein.

D. Determination That Decrease In Rate Will Simplify Computation.

Certain modifications of existing rates of duties to be hereinafter proclaimed reflect decreases in rates of duties exceeding the limitations specified in section 350(a)(4)(A) or 350(a)(4)(B) of the Act but not exceeding the decreases permitted by section 350(a)(3)(D) of the Tariff Act of 1930, as amended. Under the authority of section 350(a)(3)(D) of the Act, I, John F. Kennedy, President of the United States, have determined that in each case the modified rate will simplify the computation of the amount of duty imposed with respect to the articles concerned.

E. Determinations Respecting Ad Valorem Equivalents Of Specific Rates of Duty.

In addition, I have made the determination regarding the ad valorem equivalent of the specific rate of duty (or combination of rates including a specific rate), and regarding the representative period, under the authority of section 350(a)(3)(D) and 350(a)(4)(A) of the Tariff Act of 1930, as amended, by reference to section 350(a)(2)(D)(ii) of the Act, in the case of each modification of an existing duty proclaimed in this proclamation for which such a determination was relevant, using, to the maximum extent practicable, the standards of valuation contained in section 402 or 402a of the Tariff Act, as amended, 19 U.S.C. 1401a or 1402.

F. Proclamation Of Modifications And Continuance Of Existing United States Duties And Other Import Restrictions, The Addition Of Import Restrictions, The Accession Of Israel And Portugal To The GATT, Rectifications Of Schedules To Prior Agreements, And The Modification And Termination Of Superseded Parts Of Prior Proclamations.

NOW, THEREFORE,

I, John F. Kennedy, under the authority vested in me, as President, by the Constitution and statutes, in particular section 350(a) of the Tariff Act of 1930, as amended, having found that it is required or appropriate to carry out foreign trade agreements, particularly the agreements identified in Paragraph A of this Part and the GATT, do proclaim that:

(1) Effectuating Modifications And Other Purposes Of The Agreements.

Subject to the provisions of subparagraph (2) below, there are hereby made effective, as to articles entered for consumption or withdrawn from warehouse for consumption on and after the dates specified below, the modifications of existing duties and other import restrictions of the United States, the addition of import restrictions, and the continuance of existing customs or excise treatment of articles imported into the United States specified or provided for in the general provisions of, and schedules of United States concessions to, the agreements identified in Paragraph A of this Part, as follows:

(a) Each rate of duty or import tax specified in column A at the right of the respective description of products in a schedule of the United States annexed to an agreement identified in Paragraph A of this Part or, in any case in which there are two such rates in column A, the first such rate: July 1, 1962, except that in the case of the agreement with Israel the date shall be July 5, 1962.

(b) Each rate of duty or import tax specified in column B at the right of the respective description of products in a schedule of the United States to an agreement identified in Paragraph A of this Part and, in any case in which there are two rates specified in column A at the right of the description, the second such rate: on and after the appropriate date determined in accordance with the provisions of the General Notes at the end of that schedule.

(c) The general provisions of the agreements identified in Paragraph A of this Part and the general provisions of the United States schedules thereto: July 1, 1962, except that in the case of the agreement with Israel the date shall be July 5, 1962.

(2) *Conditions To Which The Modifications And Other Actions Are Subject.*

The provisions of Paragraph F(1) of this Part shall be applied subject to the following provisions:

(a) The applicable terms, conditions, and qualifications set forth in the agreements identified in Paragraph A of this Part, in Parts I, II, and III of the GATT, in Annexes D, H, and I and Schedules XX to the GATT, and in the Protocol of Provisional Application of the GATT, of October 30, 1947 (61 Stat. (pt. 6) A2051).

(b) The exception that no rate of duty or import tax shall be applied to a particular article by virtue of this proclamation if, when the article is entered for consumption or withdrawn from warehouse for consumption, more favorable customs treatment is prescribed for the article by (a) a proclamation pursuant to section 350 of the Tariff Act of 1930 or (b) any other proclamation, a statute, or an executive order, which proclamation, statute, or order either provides for an exemption from duty or import tax or became effective subsequent to March 7, 1962.

(c) In the case of the agreement with Israel of April 6, 1962, identified in Paragraph A(4) of this Part, in applying the General Notes to the schedule of the United States concessions, each rate in column A shall be treated as having become initially effective on July 1, 1962.

(3) *Modification Of Prior Proclamation.*

As a result of the proclamation of the agreement with India identified in Paragraph A(3) of this Part, I do hereby modify as of July 1, 1962, subject to the provisions of section 401 of the Tariff Classification Act of 1962, 76 Stat. 78, the list set forth in the sixteenth recital of Proclamation 3105 of July 22, 1955 (69 Stat. C44), so that the "Description of products" in item 1507 shall read: "Bristles (except natural bristles), sorted, bunched, or prepared."

(4) *Termination Of Superseded Parts Of Prior Proclamation.*

As a result of the proclamation of the agreements identified in Paragraphs A(4), (5), and (6) of this Part, parts of Proclamation 3468 of April 30, 1962 (27 F.R. 4235) have been superseded and accordingly, I hereby terminate Parts I:1 and I:2 of Proclamation 3468 of April 30, 1962 (27 F.R. 4235) insofar as those Parts relate to the Interim Agreement of March 5, 1962, between the United States and Portugal, and insofar as it contains an exception with respect to item 765 in the United States schedule to the Interim Agreement of March 5, 1962 between the United States and Peru as of July 1, 1962, and insofar as it relates to the Interim Agreement of March 5, 1962, between the United States and Israel, on July 5, 1962.

Ante, p. 1467.

Ante, p. 1472.

Ante, p. 1471.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the United States of America to be affixed.

DONE at the City of Washington this 20th day of June in the year of our Lord nineteen hundred and sixty-two, and of the Independence of the United States of America the one hundred and eighty-sixth.

JOHN F. KENNEDY

By the President:

GEORGE W. BALL,
Acting Secretary of State.

Proclamation 3480

June 29, 1962

PROCLAMATION BY THE PRESIDENT OF THE UNITED STATES TERMINATING IN PART THE PROCLAMATION OF MAY 1, 1937, AND CONTINUING THE APPLICATION OF A PORTION OF THE FEBRUARY 19, 1937 TRADE AGREEMENT WITH EL SALVADOR

PART I—STATEMENT OF PURPOSES

The purposes of this proclamation are:

First—to terminate the proclamation of May 1, 1937, 50 Stat. 1564, insofar as it put into effect the schedules of concessions and related provisions of the trade agreement of February 19, 1937 between the United States and the Republic of El Salvador, 50 Stat. 1564. The two governments have, by an exchange of notes dated June 29, 1962, agreed to terminate, as of the close of August 8, 1962, the schedules of concessions and the related provisions, including Article I, the first paragraph of Article II, Articles III, V, VI, XVI, and in Article XVII the references to Article VI.

Second—to continue in effect the language of the note originally appended to Schedule I of the 1937 agreement, which relates to pharmaceutical specialties or patent medicines, and which by the agreement of June 29, 1962 has been transferred into a new Article III of the 1937 agreement.

PART II—TERMINATING IN PART THE PROCLAMATION OF MAY 1, 1937 AND CONTINUING THE APPLICATION OF A PORTION OF THE 1937 AGREEMENT WITH EL SALVADOR

NOW, THEREFORE,

I, JOHN F. KENNEDY, under the authority vested in me, as President, by the Constitution and statutes, in particular section 350 (a) of the Tariff Act of 1930, as amended, do proclaim that, as of August 8, 1962:

(1) *Termination*

The proclamation dated May 1, 1937, 50 Stat. 1564, shall be terminated insofar as it relates to the schedules of concessions, and related provisions, contained in the agreement of February 19, 1937, between the United States and El Salvador (50 Stat. 1564), and identified in the first paragraph of Part I of this proclamation.

(2) *Continuation*

The language of the note originally appended to Schedule I of the agreement of February 19, 1937 between the United States and El Salvador (50 Stat. 1564), now contained in new Article III of that agreement and described in the second paragraph of Part I of this proclamation, shall continue to be applied.